

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
RECEIVED LAFAYETTE

OCT 18 2012

TONY R. MOORE, CLERK  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**DRAKE ANTHONY DESORMEAUX**

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**CIVIL ACTION NO. 11-1549**

**VERSUS**

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**JUDGE HAIK**

**COMMISSIONER OF SOCIAL  
SECURITY**

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**MAGISTRATE JUDGE HILL**

**JUDGMENT**

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Report and Recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the Commissioner's decision is **REMANDED** to the Commissioner for further administrative action pursuant to the fourth sentence of 42 U.S.C. § 405(g). This includes, but does not limit, sending the case to the hearing level with instructions to the Administrative Law Judge to re-contact claimant's treating physician for clarification or order a consultative examination regarding claimant's residual functional capacity. Claimant shall be afforded the opportunity to submit additional evidence and to testify at a supplemental hearing.

Lafayette, Louisiana, this 17<sup>th</sup> day of October, 2012.

  
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RICHARD T. HAIK  
UNITED STATES DISTRICT JUDGE